

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**COURTNEY BOYD**

**Plaintiff(s),**

DR. DARBOUZE, ET AL.

**Defendant(s).**

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) **CASE NO. 2:06-CV-511-WKW**  
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**ANSWER OF DEFENDANT(S)**

COMES NOW Defendant Joseph Whitehead, by and through the undersigned counsel,  
and for his Answer to the above-styled action, states as follows:

Defendant denies each and every material allegation made in the Complaint, and demands strict proof thereof.

Defendant denies that he violated any of the Plaintiff's constitutional rights.

Defendant denies that he violated the Plaintiff's due process rights.

Defendant denies that he caused or allowed to continue any unconstitutional condition of the Plaintiff's confinement.

Defendant denies that he conspired, retaliated or discriminated against the Plaintiff in any way.

## DEFENSES AND AFFIRMATIVE DEFENSES

The Plaintiff has failed to state a claim upon which relief may be granted.

The Plaintiff's claims are barred by the statute of limitations.

Defendant is entitled to state agent immunity.

Defendant is entitled to sovereign immunity under Article 1, § 14 of the Alabama Constitution (1901).

The Defendant is immune from suit under the Eleventh Amendment to the United States Constitution.

The Defendant is immune from suit due to qualified immunity.

Respectfully submitted,

TROY KING (KIN047)  
Attorney General

s/ Benjamin H. Albritton  
Benjamin H. Albritton (ALB008)  
Assistant Attorney General

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this the 31<sup>st</sup> day of July, 2006, served a copy of the foregoing upon the Plaintiff by placing same in the United States Mail, postage prepaid and properly addressed as follows:

Courtney Boyd, AIS #208921  
Easterling Correctional Facility  
200 Wallace Drive  
Clio, AL 36107

s/ Benjamin H. Albritton  
Benjamin H. Albritton  
Assistant Attorney General

ADDRESS OF COUNSEL:

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